



Billing Code 9110-12-P

## **DEPARTMENT OF HOMELAND SECURITY**

### **Federal Emergency Management Agency**

#### **44 CFR Part 64**

**[Docket ID FEMA-2013-0002; Internal Agency Docket No. FEMA-8321]**

#### **Suspension of Community Eligibility**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur and a notice of this will be provided by publication in the Federal Register on a subsequent date. Also, information identifying the current participation status of a community can be obtained from FEMA's Community Status Book (CSB). The CSB is available at <http://www.fema.gov/fema/csb.shtm>.

**EFFECTIVE DATES:** The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the following tables.

**FOR FURTHER INFORMATION CONTACT:** If you want to determine whether a particular community was suspended on the suspension date or for further information, contact David Stearrett, Federal Insurance and Mitigation Administration, Federal

Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2953.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits the sale of NFIP flood insurance unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR Part 59. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. We recognize that some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue to be eligible for the sale of NFIP flood insurance. A notice withdrawing the suspension of such communities will be published in the Federal Register.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. The date of the FIRM, if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may be provided for

construction or acquisition of buildings in identified SFHAs for communities not participating in the NFIP and identified for more than a year on FEMA's initial FIRM for the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment procedures under 5 U.S.C. 553(b), are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

National Environmental Policy Act. This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Considerations. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, Section 1315, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This rule meets the applicable standards of Executive Order 12988.

Paperwork Reduction Act. This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

#### **List of Subjects in 44 CFR Part 64**

Flood insurance, Floodplains.

Accordingly, 44 CFR Part 64 is amended as follows:

#### **PART 64--[AMENDED]**

1. The authority citation for Part 64 continues to read as follows:

**Authority:** 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp.; p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp.; p. 376.

#### **§ 64.6 [Amended]**

2. The tables published under the authority of § 64.6 are amended as follows:

<b>State and Location</b>	<b>Community No.</b>	<b>Effective date authorization/cancellation of sale of flood insurance in community</b>	<b>Current Effective Map Date</b>	<b>Date Certain Federal assistance no longer available in SFHAs</b>
<b>Region IV</b>				
Florida: Anna Maria, City of, Manatee County.	125087	June 30, 1970, Emerg; June 11, 1971, Reg; March 17, 2014, Susp.	March 17, 2014	March 17, 2014
Bradenton, City of, Manatee County.	120155	June 5, 1975, Emerg; June 1, 1981, Reg; March 17, 2014, Susp.	-do-*	-do-
Bradenton Beach, City of, Manatee County.	125091	June 30, 1970, Emerg; June 11, 1971, Reg; March 17, 2014, Susp.	-do-	-do-
Brevard County, Unincorporated Areas.	125092	November 13, 1970, Emerg; September 22, 1972, Reg; March 17, 2014, Susp.	-do-	-do-
Cape Canaveral, City of, Brevard County.	125094	March 19, 1971, Emerg; September 29, 1972, Reg; March 17, 2014, Susp.	-do-	-do-
Cape Canaveral Port Authority, Brevard County.	120619	October 29, 1979, Emerg; April 3, 1989, Reg; March 17, 2014, Susp.	-do-	-do-
Clay County, Unincorporated Areas.	120064	February 26, 1975, Emerg; July 2, 1981, Reg; March 17, 2014, Susp.	-do-	-do-
Cocoa, City of, Brevard County.	120020	July 2, 1974, Emerg; September 28, 1979, Reg; March 17, 2014, Susp.	-do-	-do-
Cocoa Beach, City of, Brevard County.	125097	November 20, 1970, Emerg; June 16, 1972, Reg; March 17, 2014, Susp.	-do-	-do-
Green Cove Springs, City of, Clay County.	120065	October 11, 1974, Emerg; March 1, 1979, Reg; March 17, 2014, Susp.	-do-	-do-
Grant-Valkaria, Town of, Brevard County.	120224	N/A, Emerg; November 20, 2007, Reg; March 17, 2014, Susp.	-do-	-do-
Holmes Beach, City of, Manatee County.	125114	July 10, 1970, Emerg; June 11, 1971, Reg; March 17, 2014, Susp.	-do-	-do-
Indialantic, Town of, Brevard County.	125115	October 29, 1971, Emerg; August 18, 1972, Reg; March 17, 2014, Susp.	-do-	-do-
Keystone Heights, City of, Clay County.	120671	N/A, Emerg; November 13, 1998, Reg; March 17, 2014, Susp.	-do-	-do-
Longboat Key, Town of, Manatee and Sarasota Counties.	125126	April 30, 1970, Emerg; July 30, 1971, Reg; March 17, 2014, Susp.	-do-	-do-

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Malabar, Town of, Brevard County.	120024	August 28, 1974, Emerg; September 28, 1979, Reg; March 17, 2014, Susp.	-do-	-do-
Manatee County, Unincorporated Areas.	120153	June 25, 1971, Emerg; June 25, 1971, Reg; March 17, 2014, Susp.	-do-	-do-
Melbourne, City of, Brevard County.	120025	August 30, 1974, Emerg; July 1, 1979, Reg; March 17, 2014, Susp.	-do-	-do-
Melbourne Beach, Town of, Brevard County.	125128	January 15, 1971, Emerg; November 24, 1972, Reg; March 17, 2014, Susp.	-do-	-do-
Melbourne Village, Town of, Brevard County.	120329	August 26, 1974, Emerg; November 15, 1979, Reg; March 17, 2014, Susp.	-do-	-do-
Orange Park, City of, Clay County.	120066	June 6, 1975, Emerg; March 18, 1980, Reg; March 17, 2014, Susp.	-do-	-do-
Palm Bay, City of, Brevard County.	120404	July 31, 1975, Emerg; September 3, 1980, Reg; March 17, 2014, Susp.	-do-	-do-
Palm Shores, Town of, Brevard County.	120612	N/A, Emerg; March 27, 1995, Reg; March 17, 2014, Susp.	-do-	-do-
Palmetto, City of, Manatee County.	120159	April 25, 1975, Emerg; September 2, 1981, Reg; March 17, 2014, Susp.	-do-	-do-
Penney Farms, Town of, Clay County.	120059	November 15, 2010, Emerg; N/A, Reg; March 17, 2014, Susp.	-do-	-do-
Rockledge, City of, Brevard County.	120027	June 18, 1974, Emerg; November 15, 1979, Reg; March 17, 2014, Susp.	-do-	-do-
Satellite Beach, City of, Brevard County.	120028	October 20, 1972, Emerg; February 13, 1976, Reg; March 17, 2014, Susp.	-do-	-do-
Titusville, City of, Brevard County.	125152	March 12, 1971, Emerg; June 16, 1972, Reg; March 17, 2014, Susp.	-do-	-do-
West Melbourne, City of, Brevard County.	120335	January 31, 1975, Emerg; March 18, 1980, Reg; March 17, 2014, Susp.	-do-	-do-
Georgia: Covington, City of, Newton County.	130144	April 23, 1975, Emerg; March 2, 1983, Reg; March 17, 2014, Susp.	-do-	-do-
Newton County, Unincorporated Areas.	130143	May 23, 1977, Emerg; July 5, 1983, Reg; March 17, 2014, Susp.	-do-	-do-
Oxford, Town of, Newton County.	130367	June 26, 2006, Emerg; September 5, 2007, Reg; March 17, 2014, Susp.	-do-	-do-

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Porterdale, City of, Newton County.	130145	July 31, 1975, Emerg; January 19, 1983, Reg; March 17, 2014, Susp.	-do-	-do-
<b>Region V</b>				
Indiana: Cumberland, Town of, Hancock County.	180510	N/A, Emerg; March 10, 1993, Reg; March 17, 2014, Susp.	-do-	-do-
Fortville, Town of, Hancock County.	180372	N/A, Emerg; May 13, 2009, Reg; March 17, 2014, Susp.	-do-	-do-
Hancock County, Unincorporated Areas.	180419	April 21, 1975, Emerg; October 15, 1982, Reg; March 17, 2014, Susp.	-do-	-do-
Jay County, Unincorporated Areas.	180440	April 9, 1996, Emerg; N/A, Reg; March 17, 2014, Susp.	-do-	-do-
McCordsville, Town of, Hancock County.	180468	N/A, Emerg; March 18, 2005, Reg; March 17, 2014, Susp.	-do-	-do-
Portland, City of, Jay County.	185178	September 24, 1971, Emerg; May 12, 1972, Reg; March 17, 2014, Susp.	-do-	-do-
Wisconsin: Ashwaubenon, Village of, Brown County.	550600	September 28, 1979, Emerg; September 28, 1979, Reg; March 17, 2014, Susp.	-do-	-do-
Brown County, Unincorporated Areas.	550020	March 10, 1972, Emerg; April 17, 1978, Reg; March 17, 2014, Susp.	-do-	-do-
Green Bay, City of, Brown County.	550022	August 30, 1974, Emerg; September 30, 1977, Reg; March 17, 2014, Susp.	-do-	-do-
Hawkins, Village of, Rusk County.	550373	August 30, 1974, Emerg; July 15, 1988, Reg; March 17, 2014, Susp.	-do-	-do-
Hobart, Village of, Brown County.	550626	N/A, Emerg; May 3, 2005, Reg; March 17, 2014, Susp.	-do-	-do-
Howard, Village of, Brown and Outagamie Counties.	550023	March 8, 1976, Emerg; February 17, 1982, Reg; March 17, 2014, Susp.	-do-	-do-
Ingram, Village of, Rusk County.	550374	July 11, 1979, Emerg; January 2, 1987, Reg; March 17, 2014, Susp.	-do-	-do-
Ladysmith, City of, Rusk County.	550375	February 14, 1974, Emerg; September 1, 1978, Reg; March 17, 2014, Susp.	-do-	-do-

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Rusk County, Unincorporated Areas.	550602	May 31, 1988, Emerg; May 31, 1988, Reg; March 17, 2014, Susp.	-do-	-do-
Suamico, Village of, Brown County.	550660	N/A, Emerg; May 24, 2004, Reg; March 17, 2014, Susp.	-do-	-do-
<b>Region VI</b>				
Texas: Kingsville, City of, Kleberg County.	480424	February 26, 1971, Emerg; February 26, 1971, Reg; March 17, 2014, Susp.	-do-	-do-
Kleberg County, Unincorporated Areas.	480423	August 13, 1971, Emerg; August 13, 1971, Reg; March 17, 2014, Susp.	-do-	-do-
<b>Region IX</b>				
California: Corte Madera, Town of, Marin County.	065023	July 17, 1970, Emerg; December 15, 1977, Reg; March 17, 2014, Susp.	-do-	-do-
Fairfax, Town of, Marin County.	060175	October 9, 1973, Emerg; January 5, 1978, Reg; March 17, 2014, Susp.	-do-	-do-
Larkspur, City of, Marin County.	065040	October 23, 1970, Emerg; March 15, 1984, Reg; March 17, 2014, Susp.	-do-	-do-
Ross, Town of, Marin County.	060179	September 18, 1974, Emerg; February 4, 1981, Reg; March 17, 2014, Susp.	-do-	-do-
San Anselmo, Town of, Marin County.	060180	October 24, 1973, Emerg; December 1, 1977, Reg; March 17, 2014, Susp.	-do-	-do-
<b>Region X</b>				
Alaska: Fairbanks North Star Borough.	025009	May 15, 1970, Emerg; May 15, 1970, Reg; March 17, 2014, Susp.	-do-	-do-
Oregon: Bandon, City of, Coos County.	410043	October 11, 1974, Emerg; August 15, 1984, Reg; March 17, 2014, Susp.	-do-	-do-
Coos Bay, City of, Coos County.	410044	August 23, 1974, Emerg; August 1, 1984, Reg; March 17, 2014, Susp.	-do-	-do-
Coos County, Unincorporated Areas.	410042	July 7, 1975, Emerg; November 15, 1984, Reg; March 17, 2014, Susp.	-do-	-do-
Coquille, City of, Coos County.	410045	April 29, 1975, Emerg; September 28, 1984, Reg; March 17, 2014, Susp.	-do-	-do-



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Lakeside, City of, Coos County.	410278	June 2, 1975, Emerg; August 1, 1984, Reg; March 17, 2014, Susp.	-do-	-do-
Myrtle Point, City of, Coos County.	410047	January 30, 1975, Emerg; July 16, 1984, Reg; March 17, 2014, Susp.	-do-	-do-
North Bend, City of, Coos County.	410048	June 4, 1975, Emerg; August 1, 1984, Reg; March 17, 2014, Susp.	-do-	-do-
Powers, City of, Coos County.	410049	August 6, 1975, Emerg; June 30, 1976, Reg; March 17, 2014, Susp.	-do-	-do-

\*-do- =Ditto.

Code for reading third column: Emerg. —Emergency; Reg. —Regular; Susp. —Suspension.

Dated: January 27, 2014.

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**David L. Miller,**

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